

Notice of Allowability

Application No.

09/536,315

Applicant(s)

OGAWA, EIJI

Examiner

Art Unit

Ronald D Hartman Jr.

2121

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Appeal Brief filed on 1/14/2005.
2. ☒ The allowed claim(s) is/are 1-12 and 14-38 (renumbered as 1-37).
3. ☒ The drawings filed on 27 March 2000 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. Claims 1-12 and 14-38 are presented for further examination.

Allowable Subject Matter

2. Claims 1-12 and 14-38 are allowed.

As per claims 1-12 and 14-38, the prior art of record fails to teach or adequately suggest a medical imaging system comprising plural medical image input devices, wherein each device has historical data regarding image quality stored therein, wherein a control device stores all of the historical data from all of the devices, wherein the control device allows for the control of the historical data, in other words, the control device allows controls each device so that data regarding the image quality of each device may be controlled, in combination with the other claimed features and or limitations as claimed.

The closest available art appears to be issued to Friz et al., in which a networked medical imaging system is monitored from a central point so as to allow the image quality of devices incorporated into the system to be centrally monitored and corrected via a service technician. Friz et al. does not teach historical data regarding image quality in reference to medical image input devices, but rather, with medical image output devices. Further, Friz et al. does not specifically teach controlling the devices since a report is generated with is then transferred to a service technician so that the technician goes to the actual location of the device in order to repair the device.

The next closest art was issued to Hoebel et al. in which a networked medical imaging system is disclosed, the system being utilized for obtaining an optimum image quality at one location. However, Hoebel et al. does not teach the input devices holding results from evaluation, regarding image quality, being stored within the input devices themselves.

Pinsky et al. also discloses another system that is also worth mentioning. Pinsky et al. teaches a radiological image interpretation apparatus and method. Pinsky does

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not teach historical image quality evaluation results being stored in each medical input device, nor does Pinsky teach the control of each of the image input devices, but rather, describes a way in which the standards of image quality may be remotely monitored, from a central location, so that the facilities utilizing the medical imaging systems may be assured that their equipment is working up to the capabilities of the medical imaging system by issuing reports detailing the quality of images obtained using the medical imaging devices located at each hospital site.

Response to Arguments

3. Applicant's arguments, see Arguments section of the Appeal Brief, filed on 1/14/2005, with respect to claims 1-12 and 14-38 have been fully considered and are persuasive for at least the following reasons, and as such, the rejection of claims 1-12 and 14-38 has been withdrawn.

With respect to at least claims 1, 3, 14-15 and 18, the Examiner of record, after further consideration, agrees with the applicant's assertion that Jenkins in view of Hoebel in fact does not teach a plurality of medical image input devices holding respective histories of evaluation results regarding image quality, and wherein this information is stored by a control device which allows for central control of the medical image input devices.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald D Hartman Jr. whose telephone number is (571) 272 - 3684. The examiner can normally be reached on Mon. - Fri., 11:30 am - 8:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached at (571) 272 - 3687. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ronald D Hartman Jr.

Patent Examiner

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A handwritten signature in black ink, appearing to read 'Anthony Knight', is written over the printed name.

Anthony Knight
Supervisory Patent Examiner
Group 3600